

92<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

Calendar No. 223

# S. 382

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IN THE SENATE OF THE UNITED STATES

JULY 8, 1971

Ordered to lie on the table and to be printed

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## AMENDMENTS

Intended to be proposed by Mr. PEARSON to S. 382, a bill to promote fair practices in the conduct of election campaigns for better political offices, and for other purposes, viz:

1       On page 28, strike lines 14 and 15, and insert in lieu  
2 thereof the following:

3       (g) "Commission" means the Federal Elections Com-  
4 mission;

5       On page 30, line 13, strike "Comptroller General" and  
6 insert in lieu thereof "Commission".

7       On page 31, line 2, strike "Comptroller General" and  
8 insert in lieu thereof "Federal Elections Commission".

9       On page 31, line 13, strike "Comptroller General" and  
10 insert in lieu thereof "Commission".

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1       On page 31, lines 20 and 21, strike “Comptroller Gen-  
2   eral” and insert in lieu thereof “Commission”.

3       On page 31, line 21, strike “he” and insert in lieu  
4   thereof “it”.

5       On page 32, line 25, strike “Comptroller General” and  
6   insert in lieu thereof “Commission”.

7       On page 33, line 3, strike “Comptroller General” and  
8   insert in lieu thereof “Commission”.

9       On page 33, line 10, strike “Comptroller General” and  
10   insert in lieu thereof “Commission”.

11       On page 33, lines 21 and 22, strike “Comptroller Gen-  
12   eral” and insert in lieu thereof “Commission”.

13       On page 33, line 23, strike “him” and insert in lieu  
14   thereof “it”.

15       On page 34, line 3, strike “Comptroller General” and in-  
16   sert in lieu thereof “Commission”.

17       On page 36, line 7, strike “Comptroller General” and  
18   insert in lieu thereof “Commission”.

19       On page 36, line 10, strike “Comptroller General” and  
20   insert in lieu thereof “Commission”.

21       On page 37, line 1, strike “Comptroller General” and  
22   insert in lieu thereof “Commission”.

23       On page 37, line 12, strike “Comptroller General” and  
24   insert in lieu thereof “Commission”.

25       On page 38, lines 3 and 4, strike “Comptroller General”  
26   and insert in lieu thereof “Commission”.

1       On page 38, lines 21 and 22, strike “Comptroller Gen-  
2   eral” and insert in lieu thereof “Commission”.

3       On page 38, line 23, strike “Comptroller General” and  
4   insert in lieu thereof “Commission”.

5       On page 39, line 6, strike “Comptroller General” and  
6   insert in lieu thereof “Commission”.

7       On page 40, line 6, strike “Comptroller General” and  
8   insert in lieu thereof “Commission”.

9       On page 40, lines 10 and 11, strike “COMPTROLLER  
10   GENERAL” and insert in lieu thereof “COMMISSION”.

11       On page 40, line 13, strike “Comptroller General” and  
12   insert in lieu thereof “Commission”.

13       On page 40, line 15, strike “him” and insert in lieu  
14   thereof “it”.

15       On page 40, line 24, strike “him” and insert in lieu  
16   thereof “it”.

17       On page 41, line 18, strike “he” and insert in lieu  
18   thereof “it”.

19       On page 41, line 24, strike “he” and insert in lieu  
20   thereof “it”.

21       On page 42, line 9, strike “he” and insert in lieu thereof  
22   “it”.

23       On page 42, line 23, strike “Comptroller” and insert  
24   in lieu thereof “Commission”.

25       On page 42, line 24, strike “General”.

1       On page 42, line 24, strike “Comptroller General” and  
2       insert in lieu thereof “Commission”.

3       On page 43, line 1, strike “he” and insert in lieu  
4       thereof “it”.

5       On page 43, lines 4 and 5, strike “Comptroller General”  
6       and insert in lieu thereof “Commission”.

7       On page 44, lines 16 and 17, strike “Comptroller Gen-  
8       eral” and insert in lieu thereof “Commission”.

9       On page 44, line 22, strike “Comptroller General” and  
10       insert in lieu thereof “Commission”.

11       On page 44, line 25, strike “he” and insert in lieu  
12       thereof “it”.

13       On page 45, between lines 21 and 22, insert the follow-  
14       ing:

15                               FEDERAL ELECTIONS COMMISSION

16       SEC. 310. (a) There is hereby created a commission  
17       to be known as the Federal Elections Commission, which  
18       shall be composed of five members, not more than three of  
19       whom shall be members of the same political party, who  
20       shall be appointed by the President, by and with the advice  
21       and consent of the Senate. One of the original members shall  
22       be appointed for a term of two years, one for a term of four  
23       years, one for a term of six years, one for a term of eight  
24       years, and one for a term of ten years, beginning from the  
25       date of enactment of this Act, but their successors shall be

1 appointed for terms of ten years each, except that any indi-  
2 vidual chosen to fill a vacancy shall be appointed only for the  
3 unexpired term of the member whom he shall succeed. The  
4 President shall designate one member to serve as Chairman  
5 of the Commission and one member to serve as Vice Chair-  
6 man. The Vice Chairman shall act as Chairman in the  
7 absence or disability of the Chairman or in the event of a  
8 vacancy in that office.

9 (b) A vacancy in the Commission shall not impair the  
10 right of the remaining members to exercise all the powers  
11 of the Commission and three members thereof shall con-  
12 stitute a quorum.

13 (c) The Commission shall have an official seal which  
14 shall be judicially noticed.

15 (d) The Commission shall at the close of each fiscal  
16 year report to the Congress and to the President concern-  
17 ing the action it has taken; the names, salaries, and duties  
18 of all individuals in its employ and the money it has dis-  
19 bursed; and shall make such further reports on the matters  
20 within its jurisdiction and such recommendations for fur-  
21 ther legislation as may appear desirable.

22 (e) Members of the Commission shall, while serving on  
23 the business of the Commission, be entitled to receive com-  
24 pensation at a rate fixed by the Director of the Office of  
25 Management and Budget, but not in excess of \$100 per day,

1 including traveltime; and while so serving away from their  
2 homes or regular places of business they may be allowed  
3 travel expenses, including per diem in lieu of subsistence,  
4 as authorized by section 5703 of title 5, United States Code.

5 (f) The principal office of the Commission shall be in  
6 or near the District of Columbia, but it may meet or exercise  
7 any or all its powers at any other place.

8 (g) All officers, agents, attorneys, and employees of  
9 the Commission shall be subject to the provisions of section  
10 9 of the Act of August 2, 1939, as amended (the Hatch  
11 Act), notwithstanding any exemption contained in such  
12 section.

13 (h) The Commission shall appoint an Executive Direc-  
14 tor without regard to the provisions of title 5, United States  
15 Code, governing appointments in the competitive service, to  
16 serve at the pleasure of the Commission. The Executive  
17 Director shall be responsible for the administrative operations  
18 of the Commission and shall perform such other duties as  
19 may be delegated or assigned to him from time to time by  
20 regulations or orders of the Commission. However, the Com-  
21 mission shall not delegate the making of regulations regard-  
22 ing elections to the Executive Director.

23 (i) The Chairman of the Commission shall appoint and  
24 fix the compensation of such personnel as it is deemed neces-  
25 sary to fulfill the duties of the Commission in accordance with  
26 the provisions of title 5, United States Code.

1       (j) The Commission may obtain the services of experts  
2 and consultants in accordance with section 3109 of title 5,  
3 United States Code.

4       (k) Section 5316 of title 5, United States Code, is  
5 amended by adding at the end thereof the following new  
6 paragraph:

7       “(131) Executive Director, Federal Elections Com-  
8 mission.”

9       On page 45, line 23, strike “SEC. 310.” and insert in  
10 lieu thereof “SEC. 311.”

11       On page 46, line 4, strike “SEC. 311.” and insert in  
12 lieu thereof “SEC. 312.”

13       On page 46, line 8, strike “SEC. 312.” and insert in lieu  
14 thereof “SEC. 313.”

15       On page 46, line 13, strike “Comptroller General” and  
16 insert in lieu thereof “Commission”.

17       On page 46, line 20, strike “SEC. 313.” and insert in lieu  
18 thereof “SEC. 314.”

19       On page 47, line 2, strike “SEC. 314.” and insert in lieu  
20 thereof “SEC. 315.”

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